

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Ruediger Eirmann et al.  
Application Number: 10/583,638  
Filing Date: 03/26/2007  
Group Art Unit: 1712  
Examiner: Nicole R. Blan  
Title: DISHWASHER WITH DEVICE FOR STORAGE OF  
RINSING WATER

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
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**REPLY BRIEF**

Pursuant to 37 CFR 41.41, Appellants hereby file a Reply Brief in the above-identified application.

## STATUS OF CLAIMS

Claims 22-42 are the basis of the appeal of the pending claims. Claims 1-21 were canceled in the June 20, 2006 Preliminary Amendment. Claims 22, 37, 38, and 42 are independent.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- (a) Whether claims 22, 24, 25, 27, 28, 32, 33, 35, 38-40, and 42 are unpatentable under 35 U.S.C. § 103(a) as over Centis (U.S. Patent No. 5,617, 885) in view of Tabasso (EP 0 546 348).
- (b) Whether claim 23 is unpatentable under U.S.C. § 103(a) over Centis in view of Tabasso and further in view of Andreae (DE 19 835 722).
- (c) Whether Claim 26 is unpatentable under 35 U.S.C. § 103(a) over Centis in view of Tabasso, and further in view of Perry's Chemical Engineering Handbook.
- (d) Whether claims 29 and 37 are unpatentable under 35 U.S.C. § 103(a) over Centis in view of Tabasso, and further in view of Arreghini et al. (U.S. Patent No. 5,606,878).
- (e) Whether claim 30 is unpatentable under 35 U.S.C. § 103(a) over Centis in view of Tabasso in view of Arreghini et al. in view of Perry's Chemical Engineering Handbook, and further in view of Thies (U.S. Patent No. 6,432,216).

(f) Whether claim 34 is unpatentable under 35 U.S.C. § 103(a) over Centis in view of Tabasso, and further in view of Fumagalli (EP 0 607 628).

(g) Whether claim 36 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Centis in view of Tabasso, in view of Johnston (U.S. Patent No. 4,518,599), and further in view of Nishino et al. (U.S. Patent No.3,872,013).

(h) Whether claim 41 is unpatentable under 35 U.S.C. § 103(a) over Centis in view of Tabasso, in view of Arreghini et al., in view of Johnston, and further in view of Nishino et al.

## REPLY ARGUMENT

The Response to Arguments states that Centis teaches a dishwasher that utilizes a storage reservoir, and acknowledges that it does not teach that the storage reservoir is a flexible bag. The Response states that Tabasso teaches a dishwasher that utilizes a flexible bag as a storage reservoir because using bag-like reservoirs takes up minimum space within the dishwasher and that the flexible reservoirs are adapted to recover, store and return to further use the liquor used during various phases of a washing process. Thus, the Response concludes that Tabasso does in fact teach that the bags are for use as part of the water supply system, and because both Centis and Tabasso teach dishwashers that contain a storage reservoir, it would have been obvious to one of ordinary skill in the art to substitute one container for the other to achieve the predictable result of holding liquid.

Appellants maintain that the Tobasso bags are for use in a parallel manner and not for use as part of the water supply system, and as such, one of ordinary skill in the art would not look at that configuration for incorporation into Centis system. Further, in the Centis system, the reservoir 11 is arranged to act as a volumetric metering reservoir. This volumetric metering teaching would lead one of ordinary skill in the art away from bags of a flexible nature.

CONCLUSION

In view of the foregoing discussion, Appellants respectfully request reversal of the Examiner's rejections.

Respectfully submitted,

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